

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

RANGELINE CAPITAL, LLC,

Plaintiff,

v.

**FORREST L. PRESTON, LC
HEALTHCARE HOLDING
COMPANY, LLC, and LIFE CARE
CENTERS OF AMERICA, INC.,**

Defendants.

Case No. 4:16-CV-1428-SNLJ

MEMORANDUM AND ORDER

This case is before the Court on plaintiff's "Motion to Suspend Summary Judgment Deadlines Until the Completion of Additional Discovery, or, in the Alternative, for Extension of Time," (#37) to which defendants filed a Response in Opposition (#39). No reply was filed. Plaintiff's concern is that the deposition of defendant Preston, held on November 29, 2017, was suspended due to Preston's apparent confusion and fatigue, and as a result, plaintiff is not in a position to adequately respond to defendants' motion for summary judgment, which is due January 5, 2018. Because this case is based on the breach of an alleged oral contract, this Court is at a loss why responses from a defendant would be needed to respond to the defendant's motion for summary judgment, as opposed to the testimony of plaintiff's own witnesses. Plaintiff offers no explanation. Nonetheless, this Court will grant plaintiff a 14-day extension from the January 5

deadline so that its response will be due January 19, 2018, and the deposition may be reconvened in the meantime.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's response to defendant's motion for summary judgment will be due January 19, 2018.

So ordered this 27th day of December 2017.

A handwritten signature in cursive script, appearing to read "Stephen N. Limbaugh, Jr.", written in dark ink.

STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE